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Attorney(s) for the Defendants County of Marin,  
Sheriff Robert T. Doyle, Deputy Rachel Hammer

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LYNNETTE FRARY, Individually and as  
Administrator of the Estate of Anthony Brandon  
Carmignani, Deceased, JAMIE BALL, as Natural  
Guardian of Amaya Carmignani, a minor, and  
HEATHER HOWARD,  
Plaintiff,

v.

COUNTY OF MARIN; CITY OF NOVATO;  
SHERIFF ROBERT T. DOYLE, CHIEF JOSEPH  
KREINS, DEPUTY RACHEL HAMMER,  
OFFICER THOMAS MACKENZIE, OFFICER  
MICHAEL DUNN, OFFICER STEPHANIE  
COMMISTO, and DOES 1 to 50, inclusive,  
Defendants.

Case No.: CV-12-3928 MEJ

STIPULATION AND ORDER RE  
AMENDMENT TO FIRST AMENDED  
COMPLAINT

**STIPULATION**

IT IS HEREBY STIPULATED, by and between the parties hereto, by and between their  
attorneys of record, as follows:

WHEREAS, plaintiffs inadvertently and unintentionally included DEPUTY RACHEL  
HAMMER as a defendant in Count Six of the First Amended Complaint (Survival Damages Based  
on Negligence),

IT IS HEREBY STIPULATED as follows: The First Amended Complaint may and should  
be amended to delete the reference to defendant DEPUTY RACHEL HAMMER in Count Six. The  
allegations of the First Amended Complaint may and should otherwise remain as filed on January

17, 2013. Defendants' pleadings or other response to the First Amended Complaint may and should remain due on the dates previously stipulated by the parties; this Stipulation and Order should not alter or affect those deadlines.

Dated: February 6, 2013

STEVEN M. WOODSIDE,  
INTERIM COUNTY COUNSEL

By: /s/ \_\_\_\_\_  
Steven M. Perl, Deputy  
Attorneys for County Defendants

Dated: February 6, 2013

BRENT, FIOL & NOLAN, LLP

By: /s/ \_\_\_\_\_  
David L. Fiol  
Attorneys for Plaintiffs Lynette Frary and Jamie  
Ball

Dated: February 6, 2013

BONNER & BONNER

By: /s/ \_\_\_\_\_  
A. Cabral Bonner  
Attorneys for Plaintiff Heather Howard

Dated: February 6, 2013

BERTRAND, FOX & ELLIOT

By: /s/ \_\_\_\_\_  
Thomas F. Bertrand  
Richard W. Osman  
Attorneys for Novato Defendants

**ORDER**

IT IS SO ORDERED. The reference to defendant DEPUTY RACHEL HAMMER in Count Six of the First Amended Complaint is hereby deemed deleted. All other allegations of the First Amended Complaint shall remain as filed on January 17, 2013. This Order shall not affect or alter any deadlines in place for the filing of any defendant's pleading or other response to the First Amended Complaint.

Dated: February 8, 2013

